1	EDMUND G. Brown Jr.		
2	Attorney General of California JANICE K. LACHMAN		
3	Supervising Deputy Attorney General JOHN PADRICK		
4	Deputy Attorney General State Bar No. 155123		
5	1300 I Street, Suite 125 P.O. Box 944255		
6	Sacramento, CA 94244-2550 Telephone: (916) 323-6708		
7	Facsimile: (916) 327-8643		
8	Attorneys for Complainant		
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10	BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS		
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12	STATE OF CA	LIFORNIA	
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14	In the Matter of the Accusation Against:	Case No. 2010-117	
15	SUSAN LOUISE MORRISON, aka	0010 11)	
16	SUSAN MORRISON WALKER	ACCUSATION	
17	Colfax, CA 95713		
18	14113 Horseshow Lane Grass Valley, CA 95949		
19	Registered Nursing License No. 485450		
20	Respondent.		
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23	'Complainant alleges:		
24	1. Louise R. Bailey, M.Ed., RN, ("Complainant"), brings this Accusation solely in her official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department		
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27	of Consumer Affairs.		
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License History

2. On or about October 31, 1992, the Board of Registered Nursing issued Registered Nursing License Number 485450 to Susan Louise Morrison, ("Respondent"). The license was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2009, unless renewed.

JURISDICTION

- 3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.
- 4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.
- 6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, ...
- (f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.
- 8. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

- (b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.
- (c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Criminal Conviction)

10. Respondent is subject to disciplinary action under Code section 2761, subdivision (f), in that on or about December 5, 2008, in the Superior Court of California, County of Nevada, in the case entitled, *People of the State of California v. Susan Morrison Walker* (Super Ct. Nevada County, 2008, Case No. M08-2009), Respondent was convicted on her plea of *nolo contendere* of violating Vehicle Code sections 23152, subdivision (a) (Driving under the Influence of an alcoholic beverage), and Code section 20002 (Accident Resulting in Damage to Property), both misdemeanors. The circumstances of the crime are that on or about November 3, 2008, Respondent struck two other vehicles on Combie Road near the Holiday Market in Nevada County and immediately left the scene. Plaintiff drove to the parking lot of the Bear River High School where the Nevada County Sheriff had been directed by the driver's of the cars, and was subsequently evaluated for intoxication, with results of 0.11% BAC and 0.12% BAC, and

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2	DATED: 8/28/09 LOUISE R. BAILEY, M.ED. AN Interim Executive Officer
3	Roard of Registered Nursing
4	Department of Consumer Affairs State of California
5	Complainant
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